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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,201	12/15/2003	Donald L. Yates	M4065.0489/P489-A	4789

24998 7590 05/26/2006

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
2101 L Street, NW
Washington, DC 20037

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 05/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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PAPER

0506

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Commissioner for Patents

The reply filed on March 22, 2006 and Feb. 16, 2006 is not fully responsive to the prior Office action because: Applicant fails to response to the double patenting rejection as set forth in the previously office action. Applicants merely state in the response that Applicants will address the rejection when it is no longer provisional. In order to be entitled to reconsideration or further examination, the reply by the applicant or patent owner must distinctly and specifically point out the supposed errors in the examiner's action and must respond to every ground of objection and rejection in the prior Office action. A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements under 37 CFR 1.111. Applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections.

In all cases where response to a requirement is indicated as necessary to further consideration of the claims, or where allowable subject matter has been indicated in an application, a complete response must either comply with the formal requirements or specifically traverse each one not complied with.

Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry of a general nature or clerical matters or relating to the status of this application or proceeding should be directed to the customer service whose telephone number is (703) 308-4357.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to H. Jey Tsai whose telephone number is (571) 272-1684. The examiner can normally be reached on from 7:00 Am to 4:00 Pm., Monday thru Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael S. Lebentritt can be reached on (571) 272-1873.

The fax phone number for this Group is (571) 273-8300.

hjt
5/16/2006

H. Jey Tsai
H.Jey Tsai
Primary Examiner
Art Unit: 2812